

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
EMILIANO PEREZ, as Administrator of the
Estate of JUAN RENE JAVIER PEREZ,

07 CIV 4063 (CLB)

Plaintiff,

-against-

TOWN OF BEDFORD, TOWN/VILLAGE
OF MT. KISCO, and GEORGE BUBARIS,
individually,

Defendants.

**REPLY DECLARATION IN
FURTHER SUPPORT OF
MOTION TO QUASH AND
FOR PROTECTIVE ORDER**

-----X
LEWIS R. SILVERMAN, an attorney duly licensed to practice law in the United States District Court for the Southern District of New York, hereby deposes and says, subject to the penalties of perjury:

1. I am a member the law firm of RUTHERFORD & CHRISTIE, LLP attorneys for Defendant GEORGE BUBARIS ("Defendant"). As such, I am fully familiar with the facts and circumstances of this matter based upon my review of the file maintained by my office.
2. This Reply declaration is submitted in further support of the Defendant's a) Motion, pursuant to Fed. R. Civ. Pro. 45(3)(iii) to Quash the plaintiff's subpoena for the production of Edward W. Hayes, Esq.; b) for a protective order, pursuant to Fed. R. Civ. Pro. 26 (c)(1)(A) to prevent the testimony of Mr. Hayes on the basis that any information possessed by Mr. Hayes is protected by attorney-client privilege and for such other and further relief as this Court deems just and proper.

3. Annexed hereto as Exhibit "A" is a copy of the duly executed affidavit by defendant George Bubaris.

Dated: New York, New York
June 30, 2008

Respectfully submitted,

RUTHERFORD & CHRISTIE, LLP

By: 

Lewis R. Silverman (LS-9723)
Julie A. Rivera (JR-1817)
Attorneys for Defendant,
GEORGE BUBARIS
369 Lexington Avenue, 8th Floor
New York, New York 10017
(212) 599-5799
Our File No.: 1020.035

TO: LOVETT & GOULD, LLP
Attorneys for Plaintiff
222 Bloomingdale Road
White Plains, New York 10605
(914) 428-8401
Attention: Jonathan Lovett, Esq.

SANTANGELO RANDAZZO & MANGNONE LLP
Attorney for Co-Defendant Town/Village of Mount Kisco
151 Broadway
Hawthorne, New York 10532
(914) 741-2929
Attention: James A. Randazzo, Esq.